

REMARKS

Applicant acknowledges receipt of the Office Action dated March 7, 2007. In that action, the Examiner: (1) rejected claim 40 under 35 U.S.C. 112, second paragraph; (2) rejected claims 33-35, 38, 39, 41, 42, 44, 62 and 64 under 35 U.S.C. 102(b) as being anticipated by *Bufkin* US 3,847,040; (3) rejected claims 45, 47, 48, 51-53 and 55 under 35 U.S.C. 102(b) as being anticipated by *Slator* US 4,836,064; (4) objected to claims 36, 37, 43, 46, 49, 50, 54 and 63 as being dependent upon a rejected based claim; and (5) allowed claims 56-61. Applicant respectfully requests the Examiner to reconsider her rejections in view of the attached amendments and following remarks.

CLAIM REJECTIONS AND OBJECTIONS

Status of the claims

Claims 33-64 are pending.

Claims 1-32 were previously canceled.

Claim 40 is currently amended.

Claim Rejections Under 35 U.S.C. 102(b) over Bufkin and Slator

The Examiner rejected two groups of claims over *Bufkin* and *Slator* separately. To anticipate a claim, a prior art reference must teach every element of the claim. For the reasons discussed below, neither *Bufkin* nor *Slator* teach every element of the rejected claims.

Bufkin

The Examiner rejected claims 33-35, 38, 39, 41, 42, 44, 62 and 64 as being anticipated by *Bufkin*. In a previous office action (Office Action dated 19 October 2005), the Examiner rejected various pending claims as anticipated by *Bufkin*. In the Response to Office Action dated 20 March 2006, Applicant amended claim 1 to include a "jaw body," and contrasted the jaw body with a wrench body described in the present application. The present application is clear that the jaw body (also referred to as an "insert holder" at [0045]) supports the insert, while the separate and distinct wrench body (for example, wrench body 14 shown in Figure 1) supports the bulk of the torque wrench structure. In the following office action (Office Action dated 5 June 2006), the Examiner did not repeat the claim rejections over *Bufkin*, instead presenting new grounds of rejection including new prior art references.

Applicant respectfully reiterates that *Bufkin* does not teach every element of independent claims 33 and 62. *Bufkin* includes a wrench body 21 and a die holder 29, or insert holder, including a receptacle which receives a replaceable slip die 31 (an insert). *Bufkin*, col. 4, ll. 45-48. A roller bearing 30 (a cam member) is disposed between the insert holder and the wrench body. Thus, the cam member is disposed on the opposite side of the insert holder from the insert, such that the insert holder separates the cam member from the insert. Contrary to this teaching of *Bufkin*, claim 33 includes a jaw body and an insert supported by the jaw body and wherein a cam member is disposed between the jaw body and the insert. Because the *Bufkin* cam member is disposed on the opposite side of the insert holder from the insert, it is not disposed between a jaw body and an insert as claimed.

Furthermore, claim 33 includes a first camming surface allowing rotational movement between the cam member and the insert and a second camming surface allowing rotational movement between the cam member and the jaw body. Due to the arrangement of the insert, insert holder and cam member of *Bufkin*, the claimed camming surfaces and the corresponding rotational movements are not disclosed. If the Examiner is characterizing *Bufkin* differently, Applicant requests the Examiner show with more particularity the parts of the reference relied on pursuant to MPEP § 706 and 37 C.F.R. § 1.104, specifically showing the different camming surfaces and their relationships to surrounding structures as claimed.

For at least these reasons, Applicant respectfully submits that claim 33 and dependent claims 34, 35, 38, 39, 41, 42 and 44 are allowable over *Bufkin*.

Independent claim 62 includes a cam member disposed between a jaw body and an insert. As discussed above, *Bufkin* does not teach such an arrangement. Claim 62 also includes intensifying a gripping force. The Examiner has not shown with particularity where *Bufkin* discloses such a feature, and Applicant believes *Bufkin* does not teach this feature. For these reasons, and for the other features included in claim 62, Applicant respectfully submits that claim 62 and its dependent claim 63 are allowable over *Bufkin*.

Slator

The Examiner rejected claims 45, 47, 48, 51-53 and 55 as being anticipated by *Slator*. *Slator* discloses a die 32 (an insert) mounted within a cavity 44 in a jaw body 34. *Slator*, col. 3, l. 40. The jaw body 34 is mounted on a roller 40 (a cam member) which rolls along a camming

surface 42. *Slator*, col. 3, ll. 34-35. The camming surface 42 is mounted on the body of the power tong (not shown). *Slator*, col. 2, ll. 43-45. *Slator* discloses a jaw body 34 disposed between the insert and the cam member.

Claim 45 includes a cam member disposed between the jaw body and the insert. Like *Bufkin*, *Slator* does not teach the claimed arrangement as the cam member and the insert are separated by the jaw body. The *Slator* cam member 40 is not disposed between the jaw body and the insert.

Claim 45 further includes a cam member having a first curved camming surface and a second curved camming surface. The Examiner cites a first curved camming surface 44/90 and a second curved camming surface 40 shown in *Slator*. The first curved camming surface 44/90 is part of member 46, while the second curved camming surface is part of cam member 40. A first camming surface on one member and a second camming surface on another member does not disclose the claimed cam member having first and second camming surfaces.

For at least these reasons, Applicant respectfully submits that claim 45 and dependent claims 47, 48, 51-53 and 55 are allowable over *Slator*.

Objection to Claim 40

Applicant has amended the dependency of claim 40 to address the objection of same, and therefore respectfully requests the Examiner withdraw her rejection.

Allowable Subject Matter

Applicant appreciates the allowance of claims 56-61.

CONCLUSION

In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. No new matter is introduced by way of amendment. It is believed that all

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rejections in the Office Action dated March 7, 2007 have been fully addressed. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Conley Rose, P.C.'s Deposit Account Number 03-2769 (1814-19001).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matt Moscicki", is written over a horizontal line.

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